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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,445	03/17/2004	Roman F. Striebel	6623-119	3528

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EXAMINER

LANGDON, EVAN H

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 06/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/802,445	Applicant(s) STRIEBEL ET AL.	
	Examiner Evan H. Langdon	Art Unit 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>03/17/05</u> . | 6) <input type="checkbox"/> Other: ____ |

Yur

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities:

Paragraph 32, line 2, "threaded portion 20 of tubular body" should be changed to --- threaded portion 20 of the stud 18---.

Appropriate correction is required.

Claim Objections

Claim 19 objected to because of the following informalities: "a threaded end being the threaded end receiving the threaded end of the rigid body". Suggested correction: a threaded end receiving the threaded end of the rigid body. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 8, 10-14 and 22-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Buchanan (US 2,463,144).

Buchanan discloses a wire attachment assembly, comprising:

a collar 1 including a center aperture dimensioned to receive a portion of a wire, a threaded portion 5, and a tapered internal recess;

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a cylindrical member 20 including a threaded end engaging the threaded portion of the collar; and

a tapered wedge 8 disposed between the collar and cylindrical member, and including a center aperture dimensioned to receive the portion of the wire and a groove extending along the length of the wedge such that when the cylindrical member 20 and collar are 1 screwed together the tapered internal recess of the collar compresses the tapered wedge about the portion of the wire.

In regards to claim 4, Buchanan discloses the cylindrical member 20 further includes a center recess dimensioned to receive a portion of the wire, as seen in Figure 5.

In regards to claim 6, Buchanan discloses comprising means 24 for attaching the cylindrical member to a surface.

In regards to claim 8, Buchanan discloses the inner surface of the wedge 8 includes means 9 for increasing friction between the wedge and the wire.

In regards to claim 10, Buchanan discloses a wire attachment and tensioning device, comprising:

a rigid body 20 having a threaded end;

means 8 for attaching a portion of a wire to the rigid body; and

a tensioning assembly 1 rotatably attached to a support surface and including a threaded end 5 to receive the threaded end of the rigid body 20 such that rotating the tensioning assembly 1 adjusts the distance of the portion of the wire attaching means from the support surface.

In regards to claims 11 and 12, Buchanan discloses a hole 4 for turning the tensioning assembly with a tool.

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In regards to claim 14, Buchanan discloses a locking means 26 for locking the position of the tensioning assembly with respect to the wire attachment means.

In regards to claim 22, Buchanan discloses a cylindrical member 1 including a feature 4 allowing rotation of the member with a tool and a first threaded end 5 and a second threaded end 5, the first end being the threaded end receiving the threaded end of the rigid body 20;

a threaded member protruding from the support surface engaging the second threaded end of the cylindrical member.

In regards to claim 23, Buchanan discloses a collar 1 including a center aperture dimensioned to receive the portion of the wire, a threaded portion 5, and tapered internal recess, and a tapered wedge 8 disposed between the collar 1 and the rigid body 20, and including a center aperture dimensioned to receive the portion of the wire and a groove extending along the length of the wedge;

wherein the rigid body further includes a second threaded end engaging the threaded portion of the collar such that when the rigid body and collar are screwed together the tapered internal recess of the collar compresses the tapered wedge about the portion of the wire.

In regards to claim 28, Buchanan discloses the inner surface 9 of the wedge 8 has features for increasing the friction between the wedge and the wire.

Claims 1-6, 8, 29 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Scotti (US 4,627,762).

Scotti discloses a wire attachment assembly, comprising:

a collar 3 including a center aperture dimensioned to receive a portion of a wire, a threaded portion 5, and a tapered internal recess;

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a cylindrical member 15 including a threaded end engaging the threaded portion of the collar; and

a tapered wedge 10 disposed between the collar and cylindrical member, and including a center aperture dimensioned to receive the portion of the wire and a groove extending along the length of the wedge such that when the cylindrical member 15 and collar are 3 screwed together the tapered internal recess of the collar compresses the tapered wedge about the portion of the wire.

In regards to claims 2 and 3, Scotti discloses the collar includes a shoulder 4 and cylindrical member includes a shoulder 14.

In regards to claim 4, Scotti discloses the cylindrical member 20 further includes a center recess dimensioned to receive a portion of the wire, as seen in Figure 1.

In regards to claim 6, Scotti discloses comprising means 16 for attaching the cylindrical member to a surface.

In regards to claim 8, Scotti discloses the inner surface of the wedge 10 includes means 9 for increasing friction between the wedge and the wire.

Claims 10-14, 31 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Anderson (US 2003/0178611 A1).

Anderson discloses a wire attachment and tensioning device, comprising:

a rigid body 14 having a threaded end;

means for attaching 12, 13 (paragraph 17) a portion of a wire to the rigid body; and

a tensioning assembly 14, 16 rotatably attached to a support surface and including a

threaded end 15 to receive the threaded end of the rigid body 14 such that rotating the tensioning

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assembly adjusts the distance of the portion of the wire attaching means from the support surface.

In regards to claim 11-13, Anderson discloses a hole 17 for turning the tensioning tool and a shoulder.

In regards to claim 14, Anderson teaches a means for locking 25.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scotti (US 4,627,762) in view of Anderson (US 2003/0178611 A1).

Anderson teaches an attaching means 11 that further comprises a means 16, 14 for adjusting the distance of a cylindrical member 16 from a surface.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the wire attachment assembly of Scotti to include a means for adjusting the distance from a base member as suggested by Anderson, to adjust the tension in the attached wire.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scotti (US 4,627,762) in view of Burtelson (US 3,895,879).

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Burtleson teaches a wire attachment assembly having an attachment through a support member.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the wire attachment assembly of Scotti to include attaching means for attaching through a support as suggested by Burtleson, to provide increased support to the cantilever end.

Claims 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over of Anderson (US 2003/0178611 A1) in view of McCown (US 3,652,049).

Buchanan disclose a cylindrical member including a feature allowing rotation of the member with a tool and a first threaded end and a second threaded end, the first end being the threaded end receiving the threaded end of the rigid body, and a threaded swivel for engaging the cylindrical member.

McCown teaches a swivel 6, 8 engaging the cylindrical member;

a mounting plate 1 including a center aperture through which the threaded swivel and cylindrical member are engaged, and an internal recess 1a for rotatably receiving the threaded swivel; and means 3 for fastening the plate to the support surface, the swivel having a hemispherical surface.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the swivel engagement of Buchanan to include a universal ball joint as suggested by McCown, to provide free range of motion of the rod, as is widely known in the art.

Claims 15-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over of Anderson (US 2003/0178611 A1) in view of McCown (US 3,652,049).

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Anderson disclose a cylindrical member including a feature allowing rotation of the member with a tool and a first threaded end and a second threaded end, the first end being the threaded end receiving the threaded end of the rigid body, and a threaded swivel for engaging the cylindrical member.

McCown teaches a swivel 6, 8 engaging the cylindrical member;

a mounting plate 1 including a center aperture through which the threaded swivel and cylindrical member are engaged, and an internal recess 1a for rotatably receiving the threaded swivel; and means 3 for fastening the plate to the support surface, the swivel having a hemispherical surface.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the swivel engagement of Anderson to include a universal ball joint as suggested by McCown, to provide free range of motion of the rod, as is widely known in the art.

Claims 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of Scotti.

Scotti teaches a collar 3 including a center aperture dimensioned to receive the portion of the wire, a threaded portion 5, and tapered internal recess; and

a tapered wedge 10 disposed between the collar 3 and a rigid body 15, and including a center aperture dimensioned to receive the portion of the wire and a groove extending along the length of the wedge;

wherein the rigid body further includes a second threaded end engaging the threaded portion of the collar such that when the rigid body and collar are screwed together the tapered internal recess of the collar compresses the tapered wedge about the portion of the wire.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the wire attachment 12, 13 of Anderson to include a collar and a tapered wedge as suggested by Scotti, to securely hold a wire.

In regards to claims 24 and 25, Anderson as modified by Scotti teaches the collar includes a shoulder 4 and cylindrical member includes a shoulder 14.

In regards to claim 26, Scotti discloses the cylindrical member 20 further includes a center recess dimensioned to receive a portion of the wire, as seen in Figure 1.

In regards to claim 28, Scotti discloses the inner surface of the wedge 10 includes means 9 for increasing friction between the wedge and the wire.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H. Langdon whose telephone number is (571)272-6948. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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